



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

May 3, 2010

Sent Via US Mail and Email - JacksonCoMgr@jacksonnc.org

Mr. Kenneth Westmoreland
Jackson County Manager
401 Grindstaff Cove Road
Suite A-207
Sylva, NC 28779

Re: *Limited Soil and Surface Water Assessment Report*
Jackson County Scott Creek MSW and C&D Transfer Facility, Permit # 50-03T

Dear Mr. Westmoreland:

The Solid Waste Section has completed a review of the *Limited Soil and Surface Water Assessment Report* dated March 15, 2010 and submitted on behalf of Jackson County by Municipal Engineering Services Co., P.A. for the Jackson County Scott Creek MSW and C&D Transfer Facility, Permit # 50-03T. The *Limited Soil and Surface Water Assessment Report* was submitted as a subsequent correspondence pursuant to a Compliance Order With Administrative Penalty issued by the Division of Waste Management, Solid Waste Section on December 29, 2009 for the violation of 15A NCAC 13B .0402(3). The Compliance Order With Administrative Penalty stated that water that came in contact with solid waste (leachate) was not contained on site and not treated prior to discharge from the facility. In addition, leachate was discharged into the surface waters of Ochre Hill Creek, just before it empties into Scott Creek.

The *Limited Soil and Surface Water Assessment Report* was submitted to the Solid Waste Section to discuss the evaluation of the extent of any environmental impacts from the leachate release. The *Limited Soil and Surface Water Assessment Report* consisted of surface water and soil sampling which was conducted on February 17, 2010. One upstream surface water sample and one downstream surface water sample were collected at the facility. Also, per the report, soil samples were initially suppose to be collected up to five feet below ground surface, however, soils samples were only collected at two locations at 12 inches and 24 inches due to refusal by the hand auger because of soil density or rock.

The surface water sampling results indicated no volatile organic compounds or metals that have exceeded the NC 2L Groundwater Standards or 2B Surface Water Standards. The analytical soil results indicated that no volatile organic compounds exceeded the NCDENR's Inactive Hazardous Sites Branch Health Based Soil Remediation Goals Updated October 2009 (Health Based Soil Remediation Goals). However, the inorganic constituents arsenic and selenium were detected above their Health Based Soil Remediation Goals in several of the soil samples collected including the background sample (12 inches deep).

In addition, common liquid leachate constituents Acetone, Benzene, and 2-Butanone (MEK) were detected as estimated concentrations (J flagged values) in several of the soil samples collected including the background sample (12 inches deep) which may suggest residual contamination of the leachate release. Of the three constituents, acetone, was the only constituent depicted on Table 2 (Soil Sample Analysis) of the report. None of the constituents were discussed within the text of the report or provided within the tables, and no recommendation was made for additional sampling or assessment within the text of the report even though

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there were volatile organic compound detections within the soil samples located within the shallow soil zone.

As a result, arsenic and selenium appear to be naturally occurring at the facility, however, there appears to be residual contamination of volatile organic compounds within the soils at the facility. Therefore, based upon the following, the Solid Waste Section is requiring additional assessment: (1) the auger refusal within the top two feet (24 inches) below ground surface, and (2) the analytical results of the limited assessment appear to be inconclusive. In addition, the February 11, 2010 letter issued to the County indicated that based upon the results of the initial task activities, additional assessment, installation of groundwater monitoring wells, excavation of impacted soils, and/or corrective action may be necessary. Therefore, please conduct the following:

1. Conduct a well (potable and non-potable) and receptor survey within 1,500 feet from the office and scalehouse. Please submit the well and receptor survey within 30 days of receipt of this letter.
2. Install a nested pair of groundwater monitoring wells, one shallow groundwater monitoring and one deep groundwater monitoring well located downgradient of the leachate release and along its flowpath prior to entering Scott Creek. Please acquire the services of a North Carolina Professional/Licensed Geologist with experience in groundwater assessment and corrective action. Please submit an assessment plan to include the details of the location and installation of these groundwater monitoring wells within 60 days of receipt of this letter. The Solid Waste Section will review the submitted assessment plan, approve, or request additional information before implementation. The assessment plan shall then be implemented as approved.

Also, please submit an electronic data deliverable (EDD) for the environmental samples collected during the February 17, 2010 sampling event within 10 days of receipt of this letter. The EDD template is located on our webpage at <http://portal.ncdenr.org/web/wm/sw/envmonitoring>. The Solid Waste Section sent an email on March 22, 2010 to Municipal Engineering, Services Co., P.A. requesting the submittal of the EDD. An EDD from Environmental Science Corp. (ESC) was sent via email by Municipal Engineering, Services Co., P.A. to the Solid Waste Section on April 24, 2010. However, the EDD submitted is not acceptable because several of the required columns within the EDD were missing, and the incorrect format was used. All North Carolina certified laboratories that submit environmental monitoring data for North Carolina solid waste management facilities are required to follow the Solid Waste Section guidance regarding the submittal of the EDD for each sampling event and the reporting of constituent concentrations at or below the Solid Waste Section Limits (SWSLs). Three memoranda were issued between October 27, 2006 and October 17, 2007 regarding the submittal of environmental monitoring data and have been available on our webpage for over three years at <http://portal.ncdenr.org/web/wm/sw/envmonitoring> and <http://www.wastenotnc.org/swenvmonitoringlist.asp>. If Environmental Science Corp (ESC) is going to analyze samples for this facility again, they are required to follow the guidance for the submittal of environmental monitoring data.

If you have any questions or concerns regarding this letter, please contact me at 919-508-8500 or by email at jaclynne.drummond@ncdenr.gov. Thank you for your anticipated cooperation with this matter.

Sincerely,



Jaclynne Drummond
Hydrogeologist
Environmental Compliance
Solid Waste Section

cc via email: Chad Parker, Jackson County Solid Waste Director
Troy Harrison, Environmental Senior Specialist
Deb Aja, Western District Supervisor
Mark Poindexter, Field Operations Supervisor
Donald Herndon, Compliance Officer
Mark Brown, Municipal Engineering Services Co., P.A.